

REMARKS

In the Office Action mailed on October 1, 2007, the Office (1) rejected claims 9-10 and 12-16 under 35 U.S.C. §101 as directed to non-statutory subject matter; (2) rejected claims 1, 3-5, 7-10, 12-13, 15-16, 22, and 24-25 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No. U.S. 2004/0133855A1 to Blair (hereinafter, “Blair”); and (3) rejected claims 6 and 14 under 35 U.S.C. §103(a) as being unpatentable over Blair. In this response, Applicants have amended claims 1, 9-10, 12-16 and 22 and have added claim 41. Applicants respectfully traverse and further request reconsideration and withdrawal of the rejections in light of the following remarks.

Rejections under 35 U.S.C. §101

The Office rejected claims 9, 10 and 12-16 under 35 U.S.C. §101 as directed to non-statutory subject matter. In the Office Action dated October 1, 2007, the Office suggested “amending ‘computer readable medium’ to ‘computer storage medium,’ as this does not include a signal.” (Office Action, page 8, line 1-2). Without additional comment and without prejudice as to the merits of the rejection, Applicants have amended claims 9-10 and 12-16 to recite “computer storage medium.” Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

Rejections under 35 U.S.C. §102(e)

The Office rejected claims 1, 3-5, 7-10, 12-13, 15-16, 22, and 24-25 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application Publication No.

U.S. 2004/0133855A1 to Blair. Applicants respectfully submit that claims 1, 3-5, 7-10, 12-13, 15-16, 22, and 24-25 are allowable for the reasons stated below.

The Blair reference pertains generally to providing a presentation engine adapted for use by a constrained resource client device. More specifically, Blair pertains to the conversion of information streams by a near side server into feature or function reduced information streams and/or data files which are subsequently propagated to a client. (Blair, paragraph 0016).

Claim 1

As such, Blair does not disclose every element of Applicants' claim 1, which is required to uphold a rejection under 35 U.S.C. §102 (MPEP 2131). Claim 1, as amended, has been recited below for convenience of the reader.

A method comprising compiling formatted video content into a serialized binary format that includes one or more of layout, rendering, user interface (UI) interaction, and dynamic aspects of the formatted video content, wherein the formatted video content includes an original markup language, and the compiling further comprises processing the formatted video content in the original markup language with a process that is specific to the original markup language and a process that is specific to a predetermined client for rendering the video content in the serialized binary format so as to be consistent with the original markup language, wherein the original markup language includes Cascading Style Sheets (CSS) that select an element of the formatted video content by a pseudo-class.

Applicants submit that Blair fails to disclose "Cascading Style Sheets (CSS) that select an element of the formatted video content by a pseudo-class," as recited in claim 1. Applicants respectfully submit that 1) Blair does not disclose

pseudo-class selectors, and 2) Blair must disclose pseudo-class selectors to anticipate the instant application.

1) Blair does not disclose pseudo-class selectors

In Blair, Figure 4 and the associated discussion present a method 400 which is relied upon by the Office in the rejection of claim 1. With reference to Figure 4, Blair discloses “identify style elements within at least the presentation code,” as shown in step 420 and described on page 3, paragraph [0033] of Blair. Blair discusses the method 400, relating to Figure 4, from paragraph [0031] to paragraph [0034]. In the discussion of method 400, Blair fails to disclose “Cascading Style Sheets (CSS) that select an element of the formatted video content by a pseudo-class.”

Blair generally describes the method 400 as follows:

In general, the method 400 of FIG. 4 removes code associated with presentation functions not invoked by the application, as well as *streamlines invoked presentation functions* by replacing identified unresolved style elements (which may be members of a large class of style elements) with a relatively small number of resolved style elements, such that a subset of the nominal class of style elements is used.

(Blair, page 3, paragraph [0031], lines 6-13). In this description, Blair fails to specifically disclose how to “streamline[] invoked presentation functions.” (*Id.* at lines 8-9). Instead, Blair generally states that the process includes “replacing identified unresolved style elements (which may be members of a large class of style elements) with a relatively small number of resolved style elements.” (*Id.* at lines 9-12). More specifically, Blair does not disclose selecting styles from a

pseudo-class with respect to Figure 4, or any other figure or portion of the description for that matter.

- 2) *Blair must disclose pseudo-class selectors to anticipate the instant application.*

Applicants discuss CSS and selectors in the specification as, “Cascading Style Sheets (CSS), as used herein, use ‘selectors’ to determine which styles apply to a particular element.” (Application, page 11, paragraph [0026], lines 1-2). Applicants’ specification also discusses various types of possible CSS selectors and how they work. (See page 11, paragraphs [0026]-[0027]). One particular CSS selector uses “CSS that select an element of the formatted video content by a pseudo-class,” as recited by claim 1. Blair fails to specifically disclose CSS selectors. More importantly, Blair fails to disclose any method of selecting elements, which are then converted into binary data for use with a limited-resource client device.

Applicants respectfully provide the following established caselaw as further support for the necessity of a full description by Blair if Blair is to anticipate Applicants’ claim 1. “An anticipating reference must describe the patented subject matter *with sufficient clarity and detail* to establish that the subject matter existed and that its existence *was recognized by persons of ordinary skill in the field of invention.*” *ATD Corp.v. Lydall, Inc.*, 48 USPQ.2d 1321,1328 (Fed. Cir. 1998) citing *In re Spada*, 15 USPQ.2d 1655, 1657 (Fed. Cir. 1990), emphasis added. Applicants respectfully submit that Blair fails to describe CSS selectors, and more specifically pseudo-class selectors, with sufficient clarity and detail.

The amendments to claim 1 are supported by the specification by at least page 11, paragraph [0027] to page 14, paragraph [0033]. No new matter has been

added. Accordingly, for at least the reasons set forth above, Applicants respectfully submit that Blair does not teach, or even suggest, all of the claimed features, and therefore Applicants request reconsideration and withdrawal of the rejection to claim 1.

Claims 3-5, 7-9 and 41

Claims 3-5, 7-9, and 41 depend from claim 1, and thus are believed allowable at least for their dependency on the allowable base claim 1. Further, the additional limitations in these dependant claims provide limitations which are not taught by the cited reference. Although all dependant claims may recite limitations not disclosed by Blair, only one claim is discussed below for sake of brevity.

Claim 8 recites, “The method as defined in Claim 1, wherein the formatted video content includes an original markup language having one or more textual words that are translated into a plurality of languages” In the Office Action dated Oct 1, 2007, the Office stated, “in the normal course of operation Blair would inherently come across web sites that contained translated words. As described in claim 1 above Blair would convert content along with those words in to the serialized binary format.” (Office Action, page 6, lines 9-11). Applicants respectfully traverse for the following reasons.

First, Blair fails to disclose translation or a “localization dictionary,” such as the localization dictionary described by Applicants on page 8-9 in paragraph [0023], and labeled as element 104 in Figure 1. A localization dictionary, or some similar component, is necessary to perform the functions as recited in claim 8.

Blair fails to describe a component for this purpose, and more importantly, does not disclose translating text to another language. Second, the Office has failed to provide support for the asserted “inherency” of such a configuration. Applicants respectfully submit that a localization dictionary is not inherent in subject matter as disclosed in Blair, and thus is not included unless Blair makes a specific reference to such subject matter.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections to claims 3-5 and 7-9.

Claims 10, 12-13, 15-16, 22, and 24-25

Regarding independent claims 10 and 22, Applicants rely on similar reasoning as presented above for claim 1. More specifically, claims 10 and 22 include recitations that substantially include “CSS that select an element . . . by a pseudo-class.” Therefore, Applicants submit that claims 10 and 22 are allowable for at least the reasons presented above regarding claim 1.

Claims 12-13 and 15-16 depend from claim 10; claims 24-25 depend from claim 22. Therefore, claims 12-13, 15-16, and claims 24-25 are allowable for the same reasons as claim 10, and 22, respectively. In addition, claim 16 is believed to be allowable for similar reasoning as applied to claim 8, which is separately discussed above.

Accordingly, Applicants respectfully submit that claims 10, 12-13, 15-16, 22, and 24-25 are in condition for allowance.

Rejections under 35 U.S.C. §103(a):

The Office rejected claims 6 and 14 under 35 U.S.C. §103(a) as being unpatentable over Blair. Claim 6 depends from base claim 1 and claim 14 depends from base claim 10. Applicants believe claims 6 and 14 are allowable at least for their dependency on allowable base claims 1 and 10, respectively. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejections to claims 6 and 14.

New Claim

Claim 41 recites, “The method as defined in Claim 1, wherein the pseudo-class comprises at least one of an element as a link or an input device action in association with an object that corresponds to the element.” As discussed above regarding claim 1, Applicants submit that Blair fails to disclose using “the pseudo-class.” Further, Blair fails to disclose selecting elements from “an element as a link” or selecting elements from “an input device action in association with an object that corresponds to the element.” In fact, a thorough search of Blair fails to reveal the presence of any discussion of links or input device action. Therefore, Applicants respectfully submit that claim 41 is believed to be in condition for allowance.

Conclusion

Claims 1, 3-10, 12-16, 22, 24-25, and 41 are in condition for allowance. Applicants respectfully request reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

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